

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Educational Commission for Foreign  
Medical Graduates,

Plaintiff,

VS.

Teknology-Laine, L.L.C., Michael Laine,  
and Badralsadat Madani,

Defendants.

) C/A No.: 6:99-1676-24AK

## ORDER

**FILED**

SEP 29 1999

LARRY W. PROPE, CLERK  
U. S. DISTRICT COURT

ENTERED

9-29-99

SCANNED

Plaintiff Educational Commission for Foreign Medical Graduates brings this action pursuant to 15 U.S.C. § 1114(1), § 32(1) and § 1125(a), § 43(a) of the Trademark Act of 1946, as amended; and 15 U.S.C. § 1125(c) of the Federal Trademark Dilution Act of 1995. Plaintiff also asserts state law causes of action for common law unfair competition and violation of the *South Carolina Unfair Trade Practices Act*, S.C. Code Ann. §§ 30-5-10 *et seq.* This matter is before the court on Plaintiff's motion for a preliminary injunction filed May 28, 1999.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge William M. Catoe, Jr. for a Report and Recommendation. On July 13, 1999, the Magistrate Judge filed a Report in which he recommended that the motion for preliminary injunction be granted.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a *de novo*

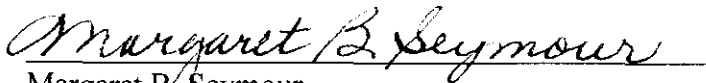
determination of any portions of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

Neither party filed objections to the Report. In the absence of objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

After a thorough review of the Report and the record in this case, the court adopts Magistrate Judge Catoe's Report and incorporates it herein by reference. It is therefore

**ORDERED** that Plaintiff Educational Commission for Foreign Medical Graduates' motion for preliminary injunction be **granted**.

**IT IS SO ORDERED.**

  
Margaret B. Seymour  
United States District Judge

September 28<sup>th</sup>, 1999

Spartanburg, South Carolina

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